

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 20, 2005

DIVISION ONE

B174917 People
v.
Aubria E. Boglin et al.

Filed order denying petition for rehearing.

B184488	Los Angeles County, D.C.S. v. James B., et al.
B185366	Los Angeles County, D.C.S. v. James B., et al.

Filed order consolidating above captioned appeals.

DIVISION TWO

B174775 People (Not for Publication)
v.
Renteria

The judgment is affirmed.

Suzukawa, J. (Assigned)

We concur: Boren, P.J.
 Doi Todd, J.

B171348 People
v.
Medina

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

September 20, 2005 (Continued)

DIVISION TWO (Continued)

B168696 People (Not for Publication)
v.
Marroquin

The judgment is affirmed.

Nott, J. (Assigned)

We concur: Boren, P.J.
Doi Todd, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B173831	Aespace America, Inc., v. Winston Ping Ko, et al.
B181942	Children and Family Services v. Gena M.

Argument waived, cause submitted.

B176833 Schloss
v.
Kaplan

Merits:
Argued by Gary Kurtz for appellant and by Jamie R. Schloss, in propria persona for respondent. Cause submitted.

DIVISION THREE (Continued)

B175242 1231 Euclid Homeowners Association
 v.
 State Farm Insurance Companies

Merits:
Argued by Steven Zelig for appellant and by Edwin B. Brown for
respondents. Cause submitted.

B177384 Western Investment & Properties Co., Inc., et al.
 v.
 Teleking Corp., et al.

Merits:
Argued by Henry Min Lee for appellants and by Stephen Bost for
respondents. Cause submitted.

Court recessed at 11:35 a.m.

Court reconvened at 1:30 p.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B184502 Carrie H., v. S.C.L.A.
B184230 Sherry G., v. S.C.L.A.
B181414 Children and Family Services v. Takieda P.
B175303 People v. Ranger Insurance Company

Argument waived, cause submitted.

B179921 Bohbot
 v.
 Santa Monica Rent Control Board, et al.

Merits:
Argued by Rosario Perry for appellant and by Michaelyn Jones for
respondents. Cause submitted.

DIVISION THREE (Continued)

B179200 Steinberg, et al.
v.
International Commission On Holocaust Era Ins. Claims

Merits:
Argued by William Shernoff for appellants and by Constantinos Panagopoulos for respondent. Supplemental letter brief due by the appellant on September 26, 2005, respondent shall have to October 3, 2005 to file a response. Submission deferred.

Court adjourned.

DIVISION FOUR

B177250 Godinez
v.
Godinez

Filed order denying petition for rehearing.

B177397 Freeman
v.
Freeman

Filed order denying petition for rehearing.

DIVISION FIVE

B181586 Los Angeles County, D.C.S. (Not for Publication)
v.
Evangelina L.

The orders under review are affirmed.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

September 20, 2005 (Continued)

DIVISION FIVE (Continued)

B181425 People (Not for Publication)
v.
Michael Turner

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B179029 Susan Augustson (Not for Publication)
v.
Texaco Inc. et al

The judgment is affirmed. Costs on appeal are awarded to defendants and respondents Texaco Refining & Marketing, Inc. and Equilon Enterprises, L.L.C.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B177903 Yamileth A. Rico (Not for Publication)
v.
Sunbelt Business Brokers
Blue Fields International Inc. et al.

The judgments are affirmed. Defendants are to recover their costs on appeal.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

September 20, 2005 (Continued)

DIVISION FIVE (Continued)

B177616 People (Not for Publication)
v.
Leroy Brian Hawkins

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B175665 Jack Peter Valov (Certified for Publication)
v.
Department of Motor Vehicles

The judgment is affirmed. The parties are to bear their own costs on appeal.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

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The judgment is reversed to the extent the prior prison term allegations under Penal Code section 667.5, subdivision (b) were stayed. Upon issuance of the remittitur, the trial court shall either impose or strike the findings under Penal Code section 667.5, subdivision (b), and an amended abstract of judgment shall be prepared by the clerk of the superior court and forwarded to the California Department of Corrections. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Mosk, J.

September 20, 2005 (Continued)

DIVISION FIVE (Continued)

B177166 People (Not for Publication)
v.
Joseph M.
In re Joseph M., A Person Coming Under the Juvenile Court Law

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B173499 Booker Bailey and Michael Bailey (Not for Publication)
v.
N & M Restaurants, Inc.

The judgment is affirmed. Defendant is awarded its costs on appeal.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

B184233 April H. (Not for Publication)
v.
Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition for extraordinary writ is denied. Pursuant to California Rules of Court, rule 24(d), this opinion is made final forthwith as to this court. The stay issued on July 25, 2005, is vacated.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

September 20, 2005 (Continued)

DIVISION FIVE (Continued)

B178976 People (Not for Publication)
v.
Jessie Zepeda

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

B178523 People (Not for Publication)
v.
Linda Susan Taylor

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B177110 Alice Garcia (Not for Publication)
v.
Brick Container Corporation et al.

We reverse the grant of summary judgment except as to Garcia's causes of action for wrongful termination and negligent infliction of emotional distress against Shumaker (second, third, and "sixth" causes of action). We affirm summary adjudication as to those causes of action. We also affirm the trial court's denial of attorney fees to defendants. Finally, we decline to impose sanctions against defendants for filing a frivolous appeal. Garcia is awarded her costs on appeal from the defendants.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B180303 Los Angeles County, D.C.S. (Not for Publication)

v.

Feliciano F.

In re LESLIE F., A Person Coming Under the Juvenile Court Law

The jurisdictional and dispositional orders of the dependency court are affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

B181221 People (Not for Publication)

v.

Gregory George Sanders, Jr.

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B178084 1000 Millenium Plaza, LLC (Not for Publication)

v.

Brentwood Escrow Inc etc et al

The judgment is affirmed and the case remanded to the trial court so that that court can make an award of fees and costs on appeal.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

September 20, 2005 (Continued)

DIVISION SIX

B181910 People (Not for Publication)
v.
Guerrero

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B173715 People (Not for Publication)
v.
Dominguez

The sentence for burglary in case No, 2001034567 (count 1B on the abstract of judgment) is modified from four years to one year four months. The superior court shall prepare an amended abstract and forward it to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B181391 Ventura Police Officers' Assoc. (Not for Publication)
v.
City of Ventura

The judgment is affirmed. City is awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

September 20, 2005 (Continued)

DIVISION SIX (Continued)

B172903 Albouz (Not for Publication)
v.
Ismail et al.,

The judgment is affirmed. Albouz shall recover his costs on appeal.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

B177881 People (Not for Publication)
v.
Ramon D.

The matter is remanded to the juvenile court with directions to exercise its discretion in setting appellant's maximum term of confinement, pursuant to Welfare and Institutions Code section 731, subdivision (b). The juvenile court's orders are otherwise affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B182402 People v. Reyes (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

September 20, 2005 (Continued)

DIVISION SIX (Continued)

B179451 People (Not for Publication)
v.
Brown-Mere

The judgment (order extending commitment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B179567 People (Not for Publication)
v.
Golden

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B177508 People (Not for Publication)
v.
Moore

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

September 20, 2005 (Continued)

DIVISION SIX (Continued)

B181109 Human Services Agency (Not for Publication)
v.
Gabriel O., et al.
Mary F.

The judgment terminating mother's and father's parental rights is reversed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B177740 Browder
v.
Los Angeles School Police Assoc.

Filed order denying petition for rehearing.

DIVISION SEVEN

B180388 Kogan (Not for Publication)
v.
Haverim

The judgment is affirmed. David Haverim, Betha Enterprises, LLC and Betha LLC are to recover their costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

September 20, 2005 (Continued)

DIVISION SEVEN (Continued)

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The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Johnson, J.